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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/580,038	Jes Olsen	4436-0127PUS1

2292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

*[Signature]*  
**DOCKETED**  
*perfect*  
*2-28-2007*

INTERNATIONAL APPLICATION NO.	
PCT/DK04/00796	
I.A. FILING DATE	PRIORITY DATE
11/18/2004	11/26/2003

CONFIRMATION NO. 8945

## 371 FORMALITIES LETTER



\*OC000000021776155\*

Date Mailed: 12/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/19/2006
- Copy of the International Search Report filed on 05/19/2006
- Copy of IPE Report filed on 05/19/2006
- Copy of Annexes to the IPER filed on 05/19/2006
- Information Disclosure Statements filed on 05/19/2006
- U.S. Basic National Fees filed on 05/19/2006
- Priority Documents filed on 05/19/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/580,038	PCT/DK04/00796	4436-0127PUS1

FORM PCT/DO/EO/905 (371 Formalities Notice)



Docket No.: 4436-0127PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jes OLSEN

Application No.: 10/580,038

Confirmation No.: 8945

Filed: May 19, 2006

Art Unit: N/A

For: HEARING AID WITH ACTIVE NOISE  
CANCELING

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated December 28, 2006,  
Applicant respectfully submits:

- ☒ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- ☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on May 19, 2006, including any amendments thereto (if applicable) filed on even date therewith.
- ☒ The undersigned hereby declares that "Attorney Docket No. 4436-0127PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No. 10/580,038 filed May 19, 2006 entitled "HEARING AID WITH ACTIVE NOISE CANCELING."

- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

- ☐ Attached are 0 sheet(s) of drawings. Please substitute these replacement drawings for the corresponding 0 sheet(s) of drawings on file in the above-identified application.
- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- ☐ Attached is a preliminary amendment.
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ Attached is a Supplemental Application Data Sheet (ADS).
- ☒ Submitted concurrently herewith under separate cover for recording is an Assignment.
- ☒ Attached is an IB 306 Form.
- ☒ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on May 19, 2006.

☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 28, 2007

Respectfully submitted,



By \_\_\_\_\_  
D. Richard Anderson  
Registration No.: 40,439  
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Attorney for Applicant

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING  
OF A CHANGE

(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

To:

CHRISTENSEN, Mikael, T.  
c/o Oticon A/S  
Kongebakken 9  
DK-2765 Smørum  
Denmark

Date of mailing (day/month/year) 26 May 2006 (26.05.2006)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference P-2003-027WO	
International application No. PCT/DK2004/000796	International filing date (day/month/year) 18 November 2004 (18.11.2004)

1. The following indications appeared on record concerning:

☒ the applicant ☒ the inventor ☐ the agent ☐ the common representative

Name and Address

OLSEN, Jes  
c/o Oticon A/S  
Strandvejen 58  
DK-2900 Hellerup  
Denmark

State of Nationality

DK

State of Residence

DK

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☐ the name ☒ the address ☐ the nationality ☐ the residence

Name and Address

OLSEN, Jes  
c/o Oticon A/S  
Kongebakken 9  
DK-2765 Smørum  
Denmark

State of Nationality

DK

State of Residence

DK

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☒ the designated Offices concerned  
☐ the International Searching Authority ☒ the elected Offices concerned  
☒ the International Preliminary Examining Authority ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Christine GUADAGNINO (Fax 338-71-30)
Facsimile No. (41-22) 338.71.30	Telephone No. (41-22) 338 8238